

REMARKS/ELECTION

Claims 1-22 remain pending in the application, wherein claims 11, 16, 18 and 19 have been amended and claims 23-27 were cancelled without prejudice. Claims 11 and 16 as now amended depend from claim 1, which links them with the invention of claims 1-10, 14 and 15 for purposes of this Restriction Requirement. Claims 18 and 19 were amended to correct a typographical error.

The Examiner has requested an election of the following invention as required under 35 U.S.C. § 121:

- I. Claims 1-10, 14, and 15, drawn to **a delivery system for promoting bone growth** (as specifically recited in instant claim 1), classified in class 424, subclass various depending on the components used in the system.
- II. Claims 11-13, drawn to **a method for manufacturing a delivery system** for promoting bone growth (as specifically recited in instant claim 11), classified in class 435, subclass various (depending on the components).
- III. Claims 16-24, drawn to **a composition for promoting bone growth** (as specifically recited in instant claim 16), classified in class 424, subclass various (depending on the components used in the composition).
- IV. Claims 25-27, drawn to **a method for promoting bone growth** (as specifically recited in instant claim 25), classified in class 424, subclass various (depending on the components used).

Applicant hereby elects the invention of Group I, encompassing claims 1-10, 14 and 15 without traverse. Because claims 11 and 16 were amended to depend from claim 1, they are now linked with the elected invention. Accordingly, Applicant submits that claims 1-22 as now presented fall within the elected invention.

Cancelled claims 23-27 fall within one or more of the unelected inventions of Groups II-IV. Applicant reserves the right to pursue claims directed to one or more of unelected inventions of Groups II-IV in one or more divisional applications. In the event one or more divisional

applications are filed, a double patenting rejection may not be made as the PTO has already taken the position that the various Groups of claims are patentably distinct.

In the event the Examiner has any questions or comments concerning this communication, the Examiner is respectfully requested to initiate a telephonic interview with the undersigned attorney.

Dated this 13th day of October 2006.

Respectfully submitted,



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